

Remarks

Upon entry of the foregoing amendment, claims 1-38 are pending in the application, with claim 1 being the independent claim. The title has been amended to identify the elected subject matter. The specification has been amended by inserting reference to prior applications according to 37 C.F.R. § 1.78(a). Claims 26 and 39 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 3-6, 13-18, 21, 22, 24, and 25 are sought to be amended. The abstract has been amended to identify the elected subject matter. Support for the amendments can be found in the original specification and claims as filed. These changes are believed to introduce no new matter and their entry is respectfully requested.

The title and abstract have been amended by replacing "thiazolidinones" with "thiazinidinones." Support for these amendments is found at pages 9-10, paragraph [0034]. The specification lists the compounds "3-(2-piperidinylethyl)-2-(2,2-diphenylethenyl)thiazinidin-4-one" (page 9, line 12) and "3-(N,N-dimethylethylamino)-2-(2,2-diphenylethenyl)thiazinidin-4-one" (page 10, line 3).

Claim 1 has been amended by canceling the non-elected subject matter, without prejudice to or disclaimer of the subject matter cancelled therefrom. Claim 1 has been further amended by including arylalkyl in the Markush group defining R₃ and R₄. Support for this amendment occurs in dependent claims 6, 14, 18, 22, and 25 which allow for R₃ and/or R₄ to be alkylenearyl, *i.e.* -(CH₂)_m-Ar. Alkylene and aryl are each separately defined in the description. See page 8, paragraphs [0027] and [0031]. Support is further found at page 28, second compound in the table. Thus, it is clear that

Applicants intended to include arylalkyl (the more conventional nomenclature) as a substituent in the Markush expression for R₃ and R₄.

Claims 3-6, 13, 14, 17, 18, 21, 22, 24, and 25 have been amended by deleting the phrase "optionally substituted". Claims 6, 14, 18, 22, and 25 have been further amended by replacing "alkenylaryl" with the more conventional "arylalkyl" nomenclature. The amendment is made to make the claim more clear. Claim 15 has been amended to depend from claim 13. Claim 16 has been amended in order to correct a typographical error by inserting a period at the end of the claim. New claim 40 is supported by claim 26 as originally filed.

These changes are believed to introduce no new matter, and their entry is respectfully requested.

Conclusion

Prompt and favorable consideration of this Preliminary Amendment is respectfully requested. Applicants believe the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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